

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ISAIAH JONES, Minor.

DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

HELENJEAN MARY JONES,

Respondent-Appellant,

and

CARL JONES,

Respondent.

UNPUBLISHED

March 18, 2010

No. 294293

Berrien Circuit Court

Family Division

LC No. 2009-000037-NA

Before: Servitto, P.J., and Bandstra and Fort Hood, JJ.

MEMORANDUM.

Respondent Helenjean Jones appeals by right from a trial court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(l). We affirm.

The trial court did not clearly err in finding that § 19b(3)(l) was established by clear and convincing legally admissible evidence. MCR 3.977(E)(3); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000); *In re Utrera*, 281 Mich App 1, 16-17; 761 NW2d 253 (2008). The child's siblings became temporary court wards at birth in May 2007. Respondent was provided with numerous services to improve her parenting skills, but was unable to do so because of her cognitive limitations. Her parental rights to the siblings were terminated in January 2009, just two months before Isaiah was born. Thus, termination of respondent's parental rights to Isaiah was appropriate under § 19b(3)(l).

Contrary to what respondent argues, the trial court was not required to find that respondent would neglect the child for the long-term future as held in *Fritts v Krugh*, 354 Mich 97, 114; 92 NW2d 604 (1958), overruled on other grounds in *In re Hatcher*, 443 Mich 426, 444; 505 NW2d 834 (1993). The *Fritts* decision predates the enactment of § 19b(3), which now sets forth the current criteria for termination.

Finally, despite all the services that had been provided to respondent, a psychological evaluation indicated that she still lacked any significant parenting skills or insight, and the foster care worker testified that respondent looked like a child holding a baby for the first time when interacting with Isaiah, and that she constantly needed assistance or assurance from others in taking care of him. The trial court did not clearly err in finding that termination of respondent's parental rights was in Isaiah's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich at 356-357.

Affirmed.

/s/ Deborah A. Servitto

/s/ Richard A. Bandstra

/s/ Karen M. Fort Hood